IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 6964 of 2004(D)

PETITIONER:

SUBAIRKUTTY S/O. ABDUL RAHMANKUNJU,
AGED 45 YEARS, RESIDING AT KARUR CHIRAYIL VEEDU,
CHEERAVALLY MURI, KAYAMKULAM VILLAGE.

BY ADV. SRI.P.K.SOYUZ

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY ITS SECRETARY, TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM.**

2. **THE TRANSPORT COMMISSIONER, TRANSPORT DEPARTMENT, THIRUVANANTHAPURAM.**

3. **THE SECRETARY, STATE POLLUTION CONTROL BOARD, TRIVANDRUM.**

4. **REGIONAL TRANSPORT OFFICER (RTO) ALAPPUZHA DISTRICT, REGIONAL TRANSPORT OFFICE, COLLECTORATE, ALAPPUZHA.**

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.6964/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE GUIDELINES ISSUED BY THE 1ST RESPONDENT DT.15.2.1996.

EXT.P2:- COPY OF THE REPRESENTATION DT.15.2.04 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT.P3:- COPY OF THE REPRESENTATION DT. 15.2.04 SUBMITTED BEFORE THE 2ND RESPONDENT BY THE PETITIONER.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P.(C). NO. 6964 OF 2004

Dated this the 6th day of June, 2007.

J U D G M E N T

This writ petition is filed with the following prayers.

i) issue a writ of mandamus, other writ order or direction directing the respondents 1 and 2 to take appropriate action to authorise the State Pollution Control Board or a panel of Experts or a committee consisting of experts in the filed for conducting inspection and issuance of licence to testing centers.

ii) issue a writ of mandamus, order, writ or direction to authorise any other agency to conduct testing and issuance of pollution under Control certificate under Rule 115(7) of the Central Motor Vehicles Rules.

iii) issue a writ of mandamus or other writ order or direction compelling the respondents 1 and 2 to consider and pass orders on Ext. P2 and P3 representations.

2. In case no orders have been passed on Exhibits P2 and P3, there will be a direction to the first respondent to look into the same with notice to the petitioner and take appropriate action in accordance with law, within a period of four months from the date of production of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp